

Notice of Allowability

Application No.

09/938,209

Examiner

Olisa Anwah

Applicant(s)

MALONE ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed on 4/2/2007.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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Allowance

1. Claims 1-26 are allowed.

Allowable Subject Matter

2. daSilva, U.S. Patent No. 6,445,937 (hereinafter daSilva) discloses a radio frequency (RF) transceiver (see Figure 1) comprising:

a radio frequency (RF) modem comprising:

receive path circuitry (see unit 120 from Figure 1) capable of receiving and down-converting an incoming RF signal to thereby produce an incoming baseband signal; and
transmit path circuitry (see unit 120 from Figure 1) capable of receiving and up-converting an outgoing baseband signal to thereby produce an outgoing RF signal;

a baseband section (see unit 122 from Figure 1) comprising baseband circuitry capable of receiving and processing said incoming baseband signal and capable of generating said outgoing baseband signal; and

a power-saving apparatus (see unit 150 from Figure 1) capable of determining that said baseband section is idle (see Auxiliary microprocessor 154 continues to monitor the mobile telephone baseband process 122 to determine if the mobile

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telephone is actively being used) and, in response to said determination, placing the RF transceiver in a first of a plurality of low-power modes (see Figure 4) by reducing a power supply voltage providing power to the baseband section.

Despite the fact that daSilva mentions that only power-saving apparatus receives power when the RF transceiver is in another of the low-power modes (see power control circuit 155 sends a signal to mobile telephone switch 128 to switch off the power to all components of mobile telephone 100, with the exception of the idle power control subsystem 100)), claims 1, 13 and 25 are allowed because daSilva does not disclose the power-saving apparatus comprises a timer, and wherein only the timer is capable of receiving power when the RF transceiver is in another of the low-power modes.

To be sure, Dent, U.S. Patent No. 5,940,742 (hereinafter Dent) discloses a pager device with a sleep mode (see column 4); however, there is no plurality of low-power modes in the pager device of Dent. Therefore, although Dent describes that the only circuitry that remains active in the sleep mode is a low-power timer (see column 4), claims 1, 13 and 25 are allowed because the combination of daSilva and Dent fails to teach that only the

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timer is capable of receiving power when the RF transceiver is in another of the low-power modes.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

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Olisa Anwah
Patent Examiner
July 24, 2007

FAN TSANG
SUPERVISORY PATENT EXAMINER
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